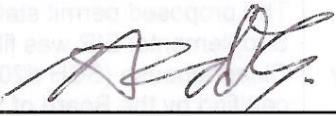


## MEMORANDUM

To: Ted Rauh  
Program Director  
Waste Compliance and Mitigation Program  
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Date: October 12, 2009

From:   
Mark de Bie, Division Chief  
Permitting and Local Enforcement Agency Support Division  
Waste Compliance and Mitigation Program

Subject: REQUEST FOR ACTION ON PROPOSED MODIFIED SOLID WASTE  
FACILITIES PERMIT FOR THE TAJIGUAS LANDFILL (SWIS No.  
42-AA-0015), SANTA BARBARA COUNTY

This memo requests that the Executive Director take action on a proposed Modified Solid Waste Facilities Permit for the Tajiguas Landfill, SWIS No. 42-AA-0015, located in Santa Barbara County. A copy of the proposed permit is attached. The memo provides you with staff's findings and recommendations relative to the proposed action, pursuant to authority granted to the Executive Director by California Code of Regulations (CCR), Title 27, Sections 21663 (a) and 21685 (c). In addition, the Board has delegated to the Executive Director the authority to concur in, or object to, modified solid waste facilities permits (Board Policy No. BL-6, adopted by Resolution 2007-31, February 13, 2007).

An application for proposed modified permit was received by the LEA on July 8, 2009. The Santa Barbara County LEA accepted the application as "complete and correct" on August 13, 2009. The proposed permit was completed and received by CIWMB PLEAS staff on August 17, 2009. The Board has 60 days to act on the proposed permit modification. If no action is taken by October 16, 2009, the Executive Director will be deemed to have concurred in the issuance of the proposed modified permit.

Based on our review of the submitted permit package, staff recommends that the Executive Director concur in the issuance of the modified permit and sign below, as all of the required submittals and findings required by Title 27, Section 21685 have been made and the required CEQA findings have been made in support of concurrence. These findings are summarized in the following table. The documents or analysis on which staff's findings are based are in the facility file for the facility. The proposed changes and more details on findings are presented in more detail below.



## **Proposed Changes**

The following changes to the permit are being proposed:

<b>Current</b>	<b>Proposed</b>
Current permit states the Operator address is Solid Waste and Utilities Division, 109 E. Victoria Street, Suite 100, Santa Barbara, CA 93101	The proposed permit states the Permit Operator address changed to 130 Victoria Street, Suite 100, Santa Barbara, CA 93101.
Current permit states the Owner address is 109 E. Victoria Street, Santa Barbara, CA 93101	The proposed permit states the Owner address is 130 Victoria Street, Suite 100, Santa Barbara, CA 93101.
Current permit states in the Legal Description of the Facility the JTD is dated November 2002.	The proposed permit states the JTD is dated July 2009.
Current permit states the estimated closure date is 2020.	Proposed permit states the new closure date is 2023. (This is due to Tajiguas Landfill taking in less garbage. There is no change in total capacity.)
Current permit states an Environmental Impact Report (EIR) was filed with the State Clearinghouse (SCH #98041003) and certified by the Board of Supervisors on August 13, 2002. A Notice of Determination was filed with the SCH on August 13, 2002.	The proposed permit states that a Supplemental EIR was filed with the State Clearinghouse (SCH #2008021052) and certified by the Board of Supervisors on May 5, 2009. A Notice of Determination was filed with the SCH on May 6, 2009. (Minor changes to LEA conditions 17a and 17b were made to account for the Supplemental EIR.)
Current permit condition 17a states "This facility shall comply with state minimum standards for solid waste handling and disposal pursuant to applicable sections of Title 14 and 27 of the California Code of Regulations." And. Permit condition 17b states "This facility shall comply with all Federal, State and Local Requirements and Enactments, including all mitigation measures given in any certified or adopted CEQA document filed pursuant to Public Resources Code, Section 21081.6.	The proposed permit condition 17a states "This facility shall comply with state minimum standards for solid waste handling and disposal pursuant to applicable sections of Title 14 and 27 of the California Code of Regulations. Nothing in this permit shall prevent the facility operator from complying with any other pertinent federal, state, or local requirement or enactment. Nothing in the conditions listed herein shall be construed as relieving the facility operator, or designee from the obligation of obtaining any required permits, licenses, or clearances or complying with any order, laws, regulations, reports or requirements mandated by any other regulatory or enforcement agency." And section 17b states "This facility shall comply with all mitigation measures given in any certified or adopted environmental document that are within the authority of the LEA pursuant to the Public Resources Code Section 21091.6. Nothing in this permit shall prevent the operator from complying with any notices and orders issued by any responsible agency designated by the Lead Agency to monitor the mitigation measures contained in any of the documents referenced within this permit.



Current permit states the Santa Barbara Planning and Development Department determined on February 3, 2003 that no new Coastal Development or Land Use Permits were required for activities outside the Coastal Zone or below 400 feet inside the Coastal Zone. The Santa Barbara County public Works Department has stated in a letter dated November 2002 that any land use permits necessary for activities above 400 feet inside the Coastal Zone will be obtained prior to the time of construction.	The proposed permit states the Santa Barbara County Planning and Development Department provided a letter dated August 4, 2009, stating that no new Coastal Development or Land Use Permits are required for continued operation of the landfill and implementation of the reconfiguration project.
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### **Executive Director Findings**

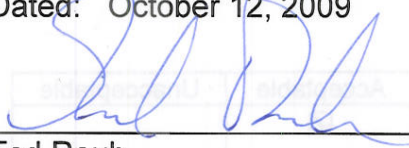
CCR Title 27 Sections	Findings	Acceptable	Unacceptable
21685(b)(1) LEA certified Report of Facility Information	The LEA provided the required certification.	<input checked="" type="checkbox"/>	
21685(b)(2) LEA Five Year Permit Review	The LEA provided the required documentation. The permit was reviewed on April 25, 2008. The next permit review would be required on April 25, 2013.	<input checked="" type="checkbox"/>	
21685(b)(3) Solid Waste Facility Permit	The LEA provided all the required documentation	<input checked="" type="checkbox"/>	
21685 (b)(4)(A) or (B) Consistency with PRC 50000.5 or LEA finding relative to PRC 50001	Board staff has found the facility consistent with the Siting Element.	<input checked="" type="checkbox"/>	
21685(b)(5) Preliminary or Final Closure/ Postclosure Maintenance Plans consistency with State Minimum Standards	Board staff in the Waste Compliance and Mitigation Program have found the Preliminary Closure/ Postclosure Maintenance Plans consistent with State Minimum Standards.	<input checked="" type="checkbox"/>	
21685(b)(6)(A) Financial Assurances Documentation compliance	Board staff in the Waste Compliance and Mitigation Program have found that there is Financial Assurances Documentation in compliance.	<input checked="" type="checkbox"/>	
21685(b)(6)(B) Operating Liability compliance	Board staff in the Waste Compliance and Mitigation Program have found Operating Liability in compliance.	<input checked="" type="checkbox"/>	
21685(b)(7) Operations consistent with State Minimum Standards	Waste Compliance and Mitigation Program staff found that the facility was in compliance with all operating and design requirements during an inspection conducted on September 16, 2009.	<input checked="" type="checkbox"/>	
21685(b)(8) LEA CEQA finding	The LEA provided a finding that the proposed permit is consistent with and supported by the existing CEQA documentation.	<input checked="" type="checkbox"/>	

CCR Title 27 Sections	Findings	Acceptable	Unacceptable
CEQA determination to support responsible agency's findings	Board staff in the Waste Compliance and Mitigation Program found that the proposed permit is consistent with CEQA and supports the ED concurrence in the modified permit.	<input checked="" type="checkbox"/>	

**Executive Director Action:**

On the basis of the information in this Request for Action on a Modified Solid Waste Facilities Permit and the findings set out above, the Executive Director hereby concurs in the issuance of the proposed Modified Permit.

Dated: October 12, 2009



Ted Rauh,  
Program Director

Attachment: Proposed Modified Permit 42-AA-0015 dated August 17, 2009